

3.15.22



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350
www.howardcountymd.gov

DPZ Office Use only:

Case No AA-22-000

Date Filed 3/17/22

Administrative Adjustment to the Bulk Regulations

Bulk Regulation Adjustment Request

Amount requested:

6' REDUCTION IN SIDE SETBACK

Height, Setback, Etc:

SETBACK REDUCTION

Zoning Regulation Section:

104.0, E. 4. a (3)(c)1

Reason for Request:

CONSTRUCTION OF AN ATTACHED GARAGE
ADDITION

Percent adjustment of the bulk requirement: (May not exceed 20%)

20%

Petitioner Information

Petitioner's Name:

DENNIS MATTEY

Address:

15522 FOXPAW TRL WOODBINE MD. 21797

Phone No. (W)

443.375.7983

(H)

N/A

Email Address:

DENNISMATTEY@GMAIL.COM

Counsel for Petitioner:

N/A

Counsel's Phone No.

N/A

Email Address:

N/A

Property

Address of Subject Property:

15522 FOXPAW TRL WOODBINE MD. 21797

Total Acreage of Property:

3.05

HoCo.Election District:

4

Zoning District:

RC-DEO

Tax Map #/Grid

Parcel

233

Lot

16

Subdivision Name and File # (if applicable)

Site Development Plan File # SDP-

Petitioner's Interest in Subject Property:



Owner (including joint ownership)



Owner's Authorization attached (If petitioner is not the owner)

REVISED



A supplement must be attached which addresses each of the following criteria:

- That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties and unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.
- The administrative adjustment, if granted, will not alter the essential character of the neighborhood or district in which the subject property is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.
- That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.
- That within the intent and purpose of these regulations, the administrative adjustment, if granted, is the minimum necessary to afford relief.

Administrative Adjustment Plan

- All plans must be folded to approximately 8 ½ x 14 inches. The plan must be drawn to scale and must include the items listed below:
 - ☐ (a) Courses and distances of property lines
 - ☐ (b) Size of property
 - ☐ (c) North arrow
 - ☐ (d) Scale of plan
 - ☐ (e) Zoning of subject property and adjoining property
 - ☐ (f) Location, address, parcel or lot number of subject property
 - ☐ (g) Required setback or other bulk requirement, and the requested adjustment from the setback or other requirement
 - ☐ (h) Existing and proposed uses, structures, natural features, landscaping, number of parking spaces, driveways, and points of access on the subject property
 - ☐ (i) Location of well and private sewerage easement, if applicable
 - ☐ (j) Floor area and height of structures and other numerical values necessary for examination of the petition
 - ☐ (k) Any other information as may be necessary for full and proper consideration of the petition

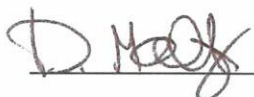
Materials, Fees, Posting and Advertising

- **The original plus two (2) copies of this petition**, all supplemental pages or reports, and the required plans must be submitted.
- The undersigned agrees to pay all costs in accordance with the current schedule of fees. The fee is **\$300.00 plus \$25.00** for a poster. The undersigned also agrees to properly post the property at least 15 days immediately prior to the hearing, to maintain the posters as required, and to submit an affidavit of posting at the time of the hearing.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.



3.15.22

Signature of Petitioner

Date

Signature of Attorney

Date

For DPZ office use only:

Hearing fee:\$ _____

Poster fee: \$ _____

Total: \$ _____

Receipt No. : _____

(Make checks payable to the "Director of Finance")

NOTE: No appointment is needed to submit this application and payment of fees is not due until a hearing date is set and you are notified.

County Website: www.howardcountymd.gov

Supplement to Administrative Adjustment To The Bulk Regulations

Address: 15522 Foxpaw Trl Woodbine, Md. 21797
Owner/Petitioner: Dennis Matthey 443.375.7983 DennisMatthey@gmail.com

That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to particular lot: and that the result of such unique physical conditions, practical difficulties and unnecessary hardships arise in complying strictly with the bulk provisions of regulations

- *The existing house is pushed to the front of the lot and side setback building restriction lines. The lot is further constrained by the septic area easement which limits the footprint of the detached garage to the narrow front portion of the building restriction line.*

The administrative adjustment, if granted will not alter the essential character of the neighborhood or district in which the subject property is located; will not substantially impair the appropriate use of the development of adjacent property; and will not be detrimental to the public welfare.

- *Based on the size of the existing lot, approval of the proposed Administrative Adjustment to the Bulk Regulations fits within the character of the neighborhood and will not impair the appropriate use of the adjacent property and will not be detrimental to the public welfare. The existing subdivision is in a very rural area with large setbacks between adjacent side properties and backs to a farm*

The such practical difficulties or hardships have not been created by the owner provided, however that where all other required findings are made, the purchase of the lot subject to the restrictions sought to be varied shall not itself constitute a self created hardship

- *The existing house was likely located to take advantage of existing topography. I am the third owner of the subject property and the addition of the proposed detached garage shall in no way constitute a self imposed hardship*

That within the intent and purpose of these regulations, the Administrative Adjustment to the Bulk Regulations is the minimum necessary to afford relief

- *The proposed Administrative Adjustment to the Bulk Regulations is the minimum necessary to allow the detached garage to take advantage of the existing impervious driveway surface and allows for use of that driveway as a T turnaround reducing the impact on trees and minimizing additional impervious area.*



Dennis Matthey <dennis.matthey@columbiaassociation.org>

Re: Detached Garage
message

CORRESPONDENCE WITH HEALTH DEPT.

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
To: "Oswald, Hank" <hoswald@howardcountymd.gov>

Tue, Nov 23, 2021 at 3:44 PM

Hank

It does include the proposed garage and I will reach out to the engineer to find out his availability to make the changes per your request

Thanks!

On Tue, Nov 23, 2021 at 3:05 PM Oswald, Hank <hoswald@howardcountymd.gov> wrote:

Hi Dennis:

Yes, the site plan would be added to the property record. Does it include the proposed detached garage on it?

Thanks,

Hank

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
Sent: Tuesday, November 23, 2021 2:24 PM
To: Oswald, Hank <hoswald@howardcountymd.gov>
Subject: Re: Detached Garage

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hank,

Their drawing located the house on the lot, portions of the driveway, the well, and the clean-out but didn't cover the full lot i.e. they didn't survey to the end of the driveway or to the back of the yard. I will ask them if they can create a full site plan using the information that they have and incorporate the d-box and tank. I assume the intent would be to add this to the file as a new "site plan"

Dennis

On Tue, Nov 23, 2021 at 1:01 PM Oswald, Hank <hoswald@howardcountymd.gov> wrote:

Did they provide you with a site plan? You could use that and draw in the well and septic components using the as-built drawing and/or field measurements off house.

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
Sent: Tuesday, November 23, 2021 12:45 PM
To: Oswald, Hank <hoswald@howardcountymd.gov>
Subject: Re: Detached Garage

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

The week of November 8 (two weeks ago)

Dennis

On Tue, Nov 23, 2021 at 9:57 AM Oswald, Hank <hoswald@howardcountymd.gov> wrote:

When did you have the property surveyed?

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
Sent: Tuesday, November 23, 2021 8:37 AM
To: Oswald, Hank <hoswald@howardcountymd.gov>
Subject: Re: Detached Garage

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hank,

Just to make sure I understand you correctly, you would like me to use the existing site plan drawing for permit submission as the base sheet, remove the trenches as originally planned and then add in the "as-built" trench conditions including the clean-out, tank and distribution box and the drawing would need to scale either 1:30 or 1:100 when submitted for permit. Although the septic tank clean-out was located when I had the property surveyed, the trenches, D-box and tank will be shown illustratively based on the "as-built" drawing.

thanks

On Mon, Nov 22, 2021 at 11:45 AM Oswald, Hank <hoswald@howardcountymd.gov> wrote:

The site plan need to be to scale and include the well and septic components. Use the as-built to help you incorporate the components onto the site plan. It should only be one page. The site plan needs to be to scale between 1:30 and 1:100.

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
Sent: Friday, November 19, 2021 4:56 PM
To: Oswald, Hank <hoswald@howardcountymd.gov>
Subject: Re: Detached Garage

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

The entire backyard slopes down and away from the house (see attached topo from the Howard County Interactive map) and also from the proposed garage which is on a slab. I am not planning or proposing to put any plumbing in the garage. The clean-out is located on the field run survey and the as-built shows the clean-out, tank and distribution box. Can I add the use the as-built (see attached) when I submit for a permit for the tank and distribution box?

With that in mind I would submit the

1. The field run survey showing the proposed garage etc.
2. The as-built showing the tank and d-box
3. The contours from the Howard County Interactive Map
4. and note on the permit application that no plumbing is planned.

Does that make sense. The existing site plan (see attached 1992 site plan) is not consistent with the as-built condition which was verified with a field run survey showing the clean-out. It looks like they basically flipped the tank to the other side of the trenches or should I simply ignore the as-built and simply show the garage on the site plan, note the 15' setback, indicate the grades runs down from the proposed garage which is on a slab and also note that no plumbing is proposed on the existing site plan since the tank etc. is well within the limits of the septic field?

thanks

On Fri, Nov 19, 2021 at 9:59 AM Oswald, Hank <hoswald@howardcountymd.gov> wrote:

Hi Dennis:

If the SDA is downhill of the proposed garage and the garage is on a slab, we can apply a general waiver to get it to 15'. Another words, you don't have to apply for a waiver. You can show 15 feet on the building permit site plan.

In addition, you should show the tank location, d-box and sewer line between tank and d-box on the building permit site plan.

Is there plumbing inside the garage? We will need to see floor plan with the building permit so label one set for Health.

Let me know if you have any questions.

Thanks,

Hank

From: Dennis Matthey <Dennis.Matthey@columbiaassociation.org>
Sent: Wednesday, November 17, 2021 10:40 AM

Subject: Detached Garage

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hank,

I checked in with the permit office and they told me that the health department is the first stop in regards to any permits where well and sewer are in place.

I am hoping to install a detached garage on my property at 15522 Foxpaw Trl. Woodbine Md. 21797. I had the property survey and located the well and septic easement area on the attached survey. I am looking for a waiver on the portion of the septic easement area adjacent to the back of the detached garage reducing the setback from 20' to 15'.

Understanding that you are the first stop before I begin the permit process I wondered if you could take a quick look and let me know what you think

thanks

--



Dennis Matthey, Vice President Community Operations

Cell Phone: 443.375.7983

Dennis.Matthey@ColumbiaAssociation.org

"The information transmitted is intended only for the person to which it is addressed and may contain proprietary or privileged material. Any review, re-transmission, dissemination or other use of or action taken in reliance on this information by a person other than the intended recipient is prohibited. If you received this information in error, please contact the sender and delete the information. Thank you for your cooperation."

--



Dennis Matthey, Vice President Community Operations

Cell Phone: 443.375.7983

Dennis.Matthey@ColumbiaAssociation.org

"The information transmitted is intended only for the person to which it is addressed and may contain proprietary or privileged material. Any review, re-transmission, dissemination or other use of or action taken in reliance on this information by a person other than the intended recipient is prohibited. If you received this information in error, please contact the sender and delete the information. Thank you for your cooperation."



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■

410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

March 8, 2022

Dennis Matthey
15522 Foxpaw Trail
Woodbine, Md 21797-8000

RE: Administrative Adjustment Petition No. AA-22-002
15522 Foxpaw Trail

To Whom It May Concern,

This Division has reviewed your Administrative Adjustment Petition to build an accessory garage located in the required side yard setback in the RC zoning district.

Before the petition is officially accepted and a hearing date scheduled, please address the following items on the **Petition Application** and resubmit.

- ✓ **Zoning Regulation Section** – the correct citation for the side yard variance is Section 104.0.E.4.a(3)(c)1.
- ✓ **Reason for Request** – please describe the actual project, for example, “Construction of a detached garage addition.”
- ✓ **Any other information as may be necessary...** - Please submit any documents related to the septic easement variance to or from the Howard County Health Department.

Please address the following items on the **Administrative Adjustment Plan** – labeled “Sheet Number SP-1 of 1.”

- ✓ Provide the name and address of the Petitioner and Property owner on the plan.
- ✓ Include the location of existing landscaping or mature trees that impact the location of the proposed garage.
- ✓ Indicate the location of existing landscaping or mature trees that would screen the garage from the adjacent residence.

Pursuant to Sec. 100.0.I Inactive Petitions of the Howard County Zoning Regulations, you must submit original plus two (2) copies of this petition of the above information within 180 days or the Petition will be dismissed. You may submit the revised plan at the George Howard Building between 8:00 a.m. and 5:00 p.m., Monday through Friday. **The submitted plans shall be folded to approximately 8 1/2 x 14 inches, as stated on page 2 of the petition.** If you have any questions, please contact me at 410-313-4352 or at pconrad@howardcountymd.gov.

Sincerely,

Peter G. Conrad, AICP
Planning Supervisor
Division of Public Service
and Zoning Administration

2